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1661



July 5, 2002

Date

Mark Bougeois

Typed or Printed Name of Person Mailing Paper or Fee

[Handwritten Signature]

Signature

7/05/2002

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE:

Serial no.: 09/728,748

Filing date: 12/02/2000

For: Veronica Plant named 'Glory'

Inventor: Philpott

Atty. Docket no.: PH17

Group Art Unit: 1661

Examiner: Para

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. §1.181

TO WITHDRAW THE HOLDING OF ABANDONMENT

Dear Sir:

This is in response to the Notice of Abandonment mailed 6/04/2002.

The petitioner respectfully requests that the abandonment set forth in the notice mailed by the office on 6/04/2002 be withdrawn. In support of this petition the following are submitted:

1. A true copy of the Notice of Abandonment for failure to respond mailed on 6/04/2002.
2. A true copy of the Applicant's Response to the first office action including a response to the request for information under 37 CFR 1.105 that shows a Certificate of Mailing executed on 11/26/2001.

It is believed that the response that was filed on November 26, 2001 was a *Bona Fide* response and that the application was improperly abandoned.

The variety that is the subject of this application has previously been protected by Plant Breeder's Rights certificates in one or more foreign countries. The referenced Plant Breeder's Rights Certificates were all applied for or granted more than one year prior to the filing date of this plant patent application in the United States. It is believed that it is improper to use 37 CFR 1.105 to request information from the Applicant regarding whether the variety was publicly available anywhere in the world prior to the filing date of the present application. The Examiner cites *Ex parte Thomson*, 24 USPQ2d 1618, 1620 (BPAI 1992) as authority for this request for information.

With the Request under 37 CFR 1.105, the Examiner is attempting to set up an improper rejection under 35 USC 102(b). Under 37 C.F.R. 1.105(a)(1), the Examiner's authority to request information from the applicant is limited to "information as may be reasonably necessary to properly examine or treat the matter." In compliance with 37 C.F.R. 1.105(a)(1) and 37 C.F.R. 1.56, the Applicant submitted a response to the Request for Information under 37 CFR 1.105. The Response provides the Examiner with all information known to the Applicant regarding the public use and availability of the subject plant variety in the United States.

The Applicant did not however provide information regarding the public use and availability of the subject plant variety outside of the United States, as such information is not material to a determination of "plant patentability" of a plant variety in the United States.

The Examiner's intent in the present case is to refuse patentability of the new variety. Quoting from the office action, "If the plant was publicly available, then the application, proposed denomination or granted PBR certificate, combined with knowledge in the prior art, would enable one of ordinary skill in the art to reproduce the claimed plant."

This examination strategy set forth by the Examiner results in a denial of plant patent protection in the United States based upon prior art which does not make the

plant variety available or accessible to the American public.

Applicant respectfully requests that the application be reinstated and that the scope of the Request for Information under 37 C.F.R. 1.105 be reconsidered.

Title 35 U.S.C. 102(b) reads, in pertinent part:

A person shall be entitled to a patent unless
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States

Protecting the public in its use of the invention when such use began prior to the filing of the application is clearly intended to refer to and to protect only the American public.

For example, if an invention has been in widespread public use in Brazil for the last 30 years, but is not the subject of any printed publication, then the original inventor has every right to file for and obtain patent protection in the United States. Section 102(b) expressly allows such a result. Because the foreign use of the invention is not deemed to have made the invention available to the American public. It is immaterial to any 102(b) policy analysis that the Brazilian public may have had the invention for the last 30 years.

How does the American public get access to a plant invention? In order for the American public to access and duplicate a plant variety, propagatable plant material from the plant in question must be available in the United States. Without access to the plant material, the plant cannot be cloned, i.e., identically reproduced. See *Imazio Nursery, Inc. v. Dania Greenhouses*, 69 F.3d 1560, 1566, citing *In re LeGrice*, 133 USPQ at 372 ("Asexual reproduction is the cornerstone of plant patent protection. The result of asexual reproduction is a plant that is genetically identical to its parent").

Many foreign plant varieties remain at present wholly unavailable to the American public, despite the existence of foreign printed publications, and despite public use of these varieties in foreign countries. Many of these varieties will offer valuable commercial advantages to the American public, once they become available

to the American public. The public policy underlying 102(b) is served by granting U.S. plant patents for those foreign plant varieties which have not been made available or accessible to the American public more than one year prior to the filing of the U.S. plant patent application.

Under 35 U.S.C. 102(b), an invention is not patentable if it was described in a printed publication, in this or a foreign country, more than a year prior to the filing date of the U.S. application. In order for a printed publication to serve as a reference under 35 U.S.C. 102(b), it must enable the invention. A written description of a plant variety is not enabling. Plant patents have always been exempt from the Section 112 written enablement requirement, which applies to all utility patents, in recognition that a particular plant cannot be reproduced by reference only to a printed publication alone. Congress acknowledged this concept when the Plant Patent Act of 1930 was drafted.

In order for a printed publication to be a 102(b) reference, it must be an enabling reference. A printed reference is enabling if a reader of the publication possessing ordinary skill in the art would be able to make and use the invention described without undue experimentation. Herein lies the distinction which sets plant patents apart from utility patents: A plant patent only confers protection on a specific plant which was invented (not any plant with the same characteristics), and its asexual progeny. See *Imazio Nursery, Inc. v. Dania Greenhouses*, 69 F.3d 1560, 1566 (Fed. Cir. 1995). A written description of a plant variety may be capable of directing a breeder to independently create a new plant variety having the same observable characteristics as the described plant. However, the newly created plant would not infringe the specific patented plant, because it was not asexually produced from the germplasm of the specific plant. A printed publication which is available to the American public without corresponding availability of the actual plant material does not, and cannot, at the current level of technology, make the described plant available to the American public.

Because a plant patent cannot be infringed without direct access to the new plant or its asexual progeny, it is the applicant's position that a new plant variety cannot be anticipated without direct access by the American public in the United States to the new plant or its asexually reproduced progeny.

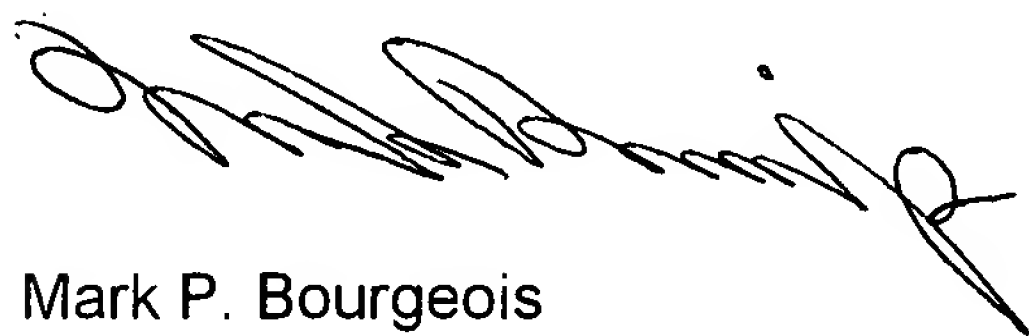
CONCLUSION

It has long been the practice of the U.S. Patent & Trademark Office to disregard the existence of foreign Plant Breeder's Rights certificates in determining patentability of a new plant variety. Additionally, the USPTO previously has not considered foreign publication, use, or sale of a new plant variety to be a bar to patentability in the United States.

It is believed that the response that was filed on November 26, 2001 was a *Bona Fide* response and that the application was improperly abandoned for failure to respond.

No fee is required for this petition. The applicant respectfully requests that the active status of this application be acknowledged and the holding of abandonment be withdrawn.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Bourgeois', written in a cursive style.

Mark P. Bourgeois

Reg. No. 37,782

App



Notice of Abandonment

Application No.	Applicant(s)	
09/728,748	PHILPOTT, HEATHER	
Examiner	Art Unit	
Annette H. Para	1661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 13 September 2001.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☒ A reply was received on 18 January 2002 but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Applicant did not disclose whether the plant had been publicly available outside the U.S. since this was a deliberate omission no extension of time is permitted. See MPEP 704.12(c)

BRUCE R. CAMPELL, PH.D
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

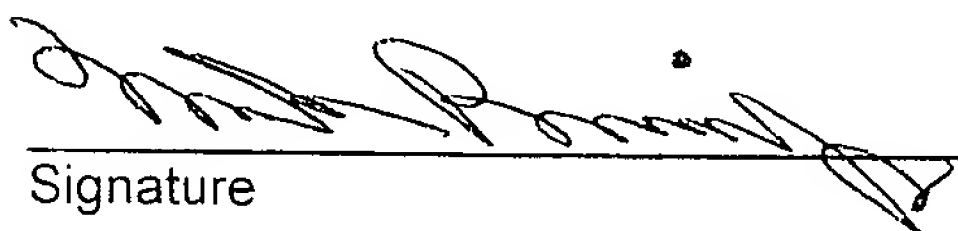
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231; on

November 26, 2001

Date

Mark Bourgeois

Typed or Printed Name of Person Mailing Paper or Fee



Signature

11/24/2001

Date of Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE:

Serial no.: 09/728,748
Filing date: 12/02/2000
For: Veronica Plant named 'Glory'
Inventor: Philpott
Atty. Docket no.: PH-17
Group Art Unit: 1661
Examiner: Para

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

AMENDMENT and RESPONSE

Dear Sir:

This is in response to the Office Action dated 09/13/2001. No additional fees are believed to be necessary.

Please amend as follows:

In the Claim:

Please delete the present claim and insert the new claim that is enclosed on the substitute specification.

In the Specification:

Please delete the present specification and insert the new specification that is enclosed on the substitute specification.

REMARKS

The following are applicant's response to issues raised in the Office Action dated 09/13/2001.

Specification Objections:

The specification was objected to because a less than complete description of the plant was presented. Accordingly, the specification has been amended along the lines of the examiner's suggestions to more clearly and completely describe the plant. Its is respectfully requested that the specification objections be withdrawn.

Rejection under 35 U.S.C. 112:

The claim was rejected under 35 USC 112 as not being supported by a clear botanical description. Accordingly, the botanical description has been amended to more clearly describe the plant. Its is respectfully requested that the 112 rejection be withdrawn.

The claimed plant is now believed to be in condition for allowance.

Request for information under 37 CFR 1.105:

In response to the request for information under 37 CFR 1.105, applicants submit the enclosed documents providing the following requested information:

- A. Veronica 'Glory' CPVO Grant
- B. Veronica 'Glory' CPVO Application
- C. Veronica 'Glory' Proposed Denomination

Veronica Glory was first sold in the United States on October 4, 2000.

Applicants decline to provide information on sale or public availability outside of the United States.

35 U.S.C. 102:

It is noted that 102b states that only sale activities in the United States and not in other countries can trigger a 102b statutory bar.

Title 35 U.S.C. 102(b) reads, in pertinent part that a person shall be entitled to a patent unless the invention was in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States. Veronica 'Glory' has not been in public use or sale in this country more than one year prior to the filing date of the present application.

The Applicant declines, however, to provide information regarding the public use and availability of the subject plant variety outside of the United States, as such information is not material to a determination of "plant patentability" of a plant variety in

the United States as defined by section 102b.

Applicant respectfully requests that the Examiner reconsider the scope of the Request for Information under 37 C.F.R. 1.105, and that the Examiner refrain from issuing any rejection under 102(b) based on any printed publication, either alone or in combination with foreign public use. It is believed that the Board of Appeals and Interferences and the Federal Circuit will not support any such rejections.

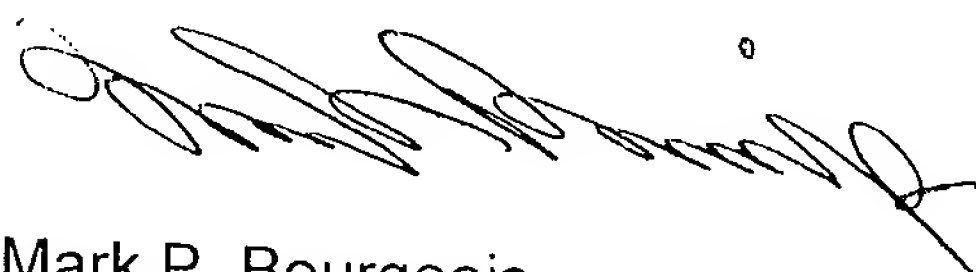
The response provides the Examiner with all information known to the Applicant regarding the public use and availability of the subject plant variety in the United States.

It is respectfully requested that the 102 rejection be withdrawn.

CONCLUSION:

The Examiner's attention to each of the parts of the patent application is greatly appreciated. A version of the substitute specification is attached showing the changes that were made.

Respectfully submitted,



Mark P. Bourgeois
Reg. No. 37,782



VERONICA PLANT NAMED 'GLORY'

BACKGROUND OF THE INVENTION

5 The present invention relates to a new and distinct cultivar of Speedwell known botanically as *Veronica spicata* and referred to hereinafter by the cultivar name 'Glory'. The new invention was discovered in a cultivated area as a chance seedling from the inventors garden in Detling, Kent, England. 'Glory' was discovered in the summer of 1987, growing amongst numerous cultivars of *Veronica spicata*. The exact parents are
10 unknown.

 'Glory' is distinguished from all other *Veronicas* by its dense compact habit, production of an abundance of compact flower spikes and the deep violet color of the flowers. The closest comparison varieties are *Veronica* 'Sunny Border Blue' (not patented), *Veronica* 'Goodness Grows' (not patented) and 'Foersters Blue' (not
15 patented). The new invention is uniquely different from 'Sunny Border Blue' (not patented) in its dense compact habit and its smooth vigorous green leaves that are retained throughout the season. The leaves of 'Sunny Border Blue' (not patented) are larger and crinkled with a dehydrated appearance, and the lower leaves tend to drop off due to disease. In contrast to 'Goodness Grows' (not patented), *Veronica* 'Glory' exhibits a
20 dense habit and the flowers exhibit more violet color than blue. In contrast to 'Foersters Blue' (not patented), 'Glory' exhibits a compact habit, dark green leaves, dark violet-blue, and compact flower spikes that continue flowering for a two month period or longer when spent flowers are removed. 'Foersters Blue' (not patented) is tall and leggy with pale blue flowers and pale green leaves.

25 'Glory' was observed by the inventor over a period of approximately seven years, during which time the plant was found to retain its unique characteristics. In 1995, the first asexual propagation was conducted by the inventor, using the method of division. The new invention was first asexually propagated in Herefordshire England. Since that time under careful observation, successive generations have been determined stable and
30 uniform.

SUMMARY OF THE INVENTION

5 The new invention *Veronica* 'Glory' can be distinguished from all other known varieties of *Veronica* by the following characteristics:

1. A dense, compact habit.
2. Violet colored flowers.
3. An abundance of flowers that bloom profusely.
4. A long blooming period when spent flowers are removed.
- 10 5. Compact flower spikes.

In combination these characteristics set 'Glory' apart from all other existing varieties.

BRIEF DESCRIPTION OF THE DRAWINGS

15 The accompanying color photographs illustrate the distinguishing traits of the new cultivar 'Glory'. Sheet 1 shows a side view of the entire plant in a two-gallon container, illustrating the foliage, profuse flowering and plant habit. Sheet 2 shows a close-up of the leaf flower and buds. Sheet 3 illustrates a close-up of a flower spike. All photographs are taken using conventional techniques and although foliage colors may appear different from
20 actual colors due to light reflectance, they are as accurate as possible by conventional photography.

BOTANICAL DESCRIPTION OF THE PLANT

25 The following is a detailed description of the *Veronica* cultivar named 'Glory'. Data was collected in Arroyo Grande, California from 12 month old plants grown in two-gallon containers. Phenotypic differences may be observed with variations in environmental, climatic, and cultural conditions, without however, any difference in genotype. Color determinations are in accordance with the Royal Horticultural Society

Color Chart except where general color terms of ordinary dictionary significance are used.

The growing requirements are similar to the species.

Botanical classification: *Veronica spicata* 'Glory'.

Common name: Speedwell.

5 Type: Herbaceous perennial.

Use: Border plant.

Parentage: Exact parents unknown. 'Glory' is a chance seedling that arose in a garden collection of numerous cultivars of *Veronica spicata*.

Growth rate: Vigorous.

10 Branching habit: Erect or ascending.

Mature height: 40-45 cm in height.

Mature width: Approximately 30 cm in width.

Hardiness: Zone 3.

Propagation method: Cuttings and division.

15 Growth habit: Dense and compact.

Root system: Fibrous.

Soil: Plant in well-drained soil.

Light levels: Plant in full sun.

Special needs: A longer flowering period can be encouraged by removing spent flowers.

20 Time to initiate roots: 2 weeks to develop from an initial cutting to a rooted cutting.

Time to develop to a one-gallon: 4 months to develop from a rooted cutting to a one gallon.

Diseases and pests: Susceptible to mildew under dry conditions and no known resistance to pests.

25 Seasonal interest: A profusion of violet flowers in summer.

Stem:

Shape: Cylindrical.

Surface: Sparsely puberulent with long and short hairs.

Length: 10 cm in length.

30 Width: 25 cm in width.

Secondary stems: 10 cm in length by .25 cm in width.

Color: 138B.

Internodes: 2-3 cm long between nodes.

Foliage:

5 Leaf arrangement: Opposite.

Leaf division: Simple.

Leaf shape: Narrow ovate.

Leaf tip: Acute, somewhat acuminate.

Leaf base: Rounded.

10 Petiole size: 1 cm in length by 1 mm in width.

Leaf margins: Serrate.

Leaf surface: Glabrous on upper and lower surfaces.

Venation: Pronounced mid-vein protruding on lower surface and depressed on upper leaf surface.

15 Vein color: 147B on under surface and 146A on upper surface.

Secondary veins: Approximately six very small veins branching off on both sides of mid-vein.

Length of leaf: 6-7 cm in length.

Width of leaf: 2 cm in width.

20 Color of mature leaf (lower surface): 137C.

Color of mature leaf (upper surface): 137A.

Color of young leaf (upper surface): 137B.

Color of young leaf (lower surface): 137D.

Foliar fragrance: None observed.

25 Diseases: Potential for mildew.

Flower:

Type: Glomerate; densely clustered flowers.

Number of petals: Four petals.

Color of petals: 88A to 89A.

30 Size of petals: 4 mm in length by 2-3 mm in width.

- Fragrance: None observed.
- Arrangement of inflorescence: Terminal thyse.
- Shape of petal: Elliptic.
- Margins of petal: Entire.
- 5 Surface of petal: Glabrous.
- Inflorescence: Raceme.
- Size of inflorescence: Ranges from 2 cm to 15 cm in height and about 1.5 cm in width.
- Quantity of inflorescence: Five to fourteen per stalk.
- 10 Flower longevity: Flowers last 3 to 3,5 weeks.
- Peduncle size: 3-5 cm in length and 1 mm in width.
- Peduncle surface: Pubescent with long hairs.
- Peduncle color: 138B.
- Blooming time: diurnal.
- 15 Months of flowering: June and July.
- Calyx: Three sepals
- Calyx color: 137A.
- Size of sepals: 1 mm in width by 3 mm in length, with linear subtending bracts 6 mm in length and 1 mm in width.
- 20 Color of bracts: 141C.
- Surface of bracts: Pubescent.
- Bud size: 1.5 mm in width by 1mm in length.
- Bud color: 89A.
- Reproductive organs
- 25 Pistil: one, violet-blue 93A.
- Size of pistil: 3 mm in length by 1 mm in width.
- Base of throat: Flocculent white hairs 155 C at base of pistil.
- Stamens: Two.
- Stamen color: 155C.
- 30 Seed production: Seed production has not been observed.

CLAIM

A new and distinct variety of *Veronica* plant named 'Glory' as described and illustrated.

5

10

ABSTRACT

A new cultivar of *Veronica* plant named 'Glory' that was discovered in a
5 cultivated area and is characterized by a dense compact habit and abundant, long-
blooming, compact flower spikes of a deep violet color. These combined traits set it apart
from all other existing varieties of *Veronica* known to the inventor.



VERONICA PLANT NAMED 'GLORY'

BACKGROUND OF THE INVENTION

5 The present invention relates to a new and distinct cultivar of Speedwell known botanically as *Veronica spicata* and referred to hereinafter by the cultivar name 'Glory'. The new invention was discovered in a cultivated area as a chance seedling from the inventors garden in Detling, Kent, England. 'Glory' was discovered in the summer of 1987, growing amongst numerous cultivars of *Veronica spicata*. The exact parents are
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20 dense habit and the flowers exhibit more violet color than blue. In contrast to 'Foersters Blue' (not patented), 'Glory' exhibits a compact habit, dark green leaves, dark violet-blue, and compact flower spikes that continue flowering for a two month period or longer when spent flowers are removed. 'Foersters Blue' (not patented) is tall and leggy with pale blue flowers and pale green leaves.

25 'Glory' was observed by the inventor over a period of approximately seven years, during which time the plant was found to retain its unique characteristics. In 1995, the first asexual propagation was conducted by the inventor, using the method of division. The new invention was first asexually propagated in Herefordshire England. Since that time under careful observation, successive generations have been determined stable and
30 uniform.

SUMMARY OF THE INVENTION

- The new invention *Veronica* 'Glory' can be distinguished from all other known varieties of *Veronica* by the following characteristics:
1. A dense, compact habit.
 2. Violet colored flowers.
 3. An abundance of flowers that bloom profusely.
 4. A long blooming period when spent flowers are removed.
 5. Compact flower spikes.

In combination these characteristics set 'Glory' apart from all other existing varieties.

BRIEF DESCRIPTION OF THE DRAWINGS

- The accompanying color photographs illustrate the distinguishing traits of the new cultivar 'Glory'. Sheet 1 shows a side view of the entire plant in a two-gallon container, illustrating the foliage, profuse flowering and plant habit. Sheet 2 shows a close-up of the leaf flower and buds. Sheet 3 illustrates a close-up of a flower spike. All photographs are taken using conventional techniques and although foliage colors may appear different from actual colors due to light reflectance, they are as accurate as possible by conventional photography.

BOTANICAL DESCRIPTION OF THE PLANT

- The following is a detailed description of the *Veronica* cultivar named 'Glory'. Data was collected in Arroyo Grande, California from 12 month old plants grown in two-gallon containers. Phenotypic differences may be observed with variations in environmental, climatic, and cultural conditions, without however, any difference in genotype. Color determinations are in accordance with the Royal Horticultural Society

Color Chart except where general color terms of ordinary dictionary significance are used.

The growing requirements are similar to the species.

Botanical classification: *Veronica spicata* 'Glory'.

Common name: Speedwell.

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Use: Border plant.

Parentage: Exact parents unknown. 'Glory' is a chance seedling that arose in a garden collection of numerous cultivars of *Veronica spicata*.

Growth rate: Vigorous.

10 Branching habit: Erect or ascending.

Mature height: 40-45 cm in height.

Mature width: Approximately 30 cm in width.

Hardiness: Zone 3.

Propagation method: Cuttings and division.

15 Growth habit: Dense and compact.

Root system: Fibrous.

Soil: Plant in well-drained soil.

Light levels: Plant in full sun.

Special needs: A longer flowering period can be encouraged by removing spent flowers.

20 Time to initiate roots: 2 weeks to develop from an initial cutting to a rooted cutting.

Time to develop to a one-gallon: 4 months to develop from a rooted cutting to a one gallon.

Diseases and pests: Susceptible to mildew under dry conditions and no known resistance to pests.

25 Seasonal interest: A profusion of violet flowers in summer.

Stem:

Shape: Cylindrical.

Surface: Sparsely puberulent with long and short hairs.

Length: 10 cm in length.

30 Width: 25 cm in width.

Secondary stems: 10 cm in length by .25 cm in width.

Color: 138B.

Internodes: 2-3 cm long between nodes.

Foliage:

5 Leaf arrangement: Opposite.

Leaf division: Simple.

Leaf shape: Narrow ovate.

Leaf tip: Acute, somewhat acuminate.

Leaf base: Rounded.

10 Petiole size: 1 cm in length by 1 mm in width.

Leaf margins: Serrate.

Leaf surface: Glabrous on upper and lower surfaces.

Venation: Pronounced mid-vein protruding on lower surface and depressed on upper leaf surface.

15 Vein color: 147B on under surface and 146A on upper surface.

Secondary veins: Approximately six very small veins branching off on both sides of mid-vein.

Length of leaf: 6-7 cm in length.

Width of leaf: 2 cm in width.

20 Color of mature leaf (lower surface): 137C.

Color of mature leaf (upper surface): 137A.

Color of young leaf (upper surface): 137B.

Color of young leaf (lower surface): 137D.

Foliar fragrance: None observed.

25 Diseases: Potential for mildew.

Flower:

Type: Glomerate; densely clustered flowers.

Number of petals: Four petals.

Color of petals: 88A-to 89A.

30 Size of petals: 4 mm in length by 2-3 mm in width.

	Fragrance: None observed.
	Arrangement of inflorescence: Terminal thyrses.
	Shape of petal: Elliptic.
	Margins of petal: Entire.
5	Surface of petal: Glabrous.
	Inflorescence: Raceme.
	Size of inflorescence: Ranges from 2 cm to 15 cm in height and about 1.5 cm in width.
	Quantity of inflorescence: Five to fourteen per stalk.
10	<u>Flower longevity: Flowers last 3 to 3.5 weeks.</u>
	Peduncle size: 3-5 cm in length and 1 mm in width.
	Peduncle surface: Pubescent with long hairs.
	Peduncle color: 138B.
	Blooming time: diurnal.
15	Months of flowering: June and July.
	Calyx: Three sepals
	Calyx color: 137A.
	Size of sepals: 1 mm in width by 3 mm in length, with linear subtending bracts 6 mm in length and 1 mm in width.
20	Color of bracts: 141C.
	Surface of bracts: Pubescent.
	Bud size: 1.5 mm in width by 1 mm in length.
	Bud color: 89A.
	Reproductive organs
25	Pistil: one, violet-blue 93A.
	Size of pistil: 3 mm in length by 1 mm in width.
	Base of throat: Flocculent white hairs 155 C at base of pistil.
	Stamens: Two.
	Stamen color: 155C.
30	<u>Seed production: Seed production has not been observed.</u>

CLAIM

A new and distinct variety of *Veronica* plant named 'Glory' as described and illustrated.

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~~ABSTRACT AND THE DISCLOSURE~~

5 A new cultivar of *Veronica* plant named 'Glory' that was discovered in a cultivated area and is characterized by a dense compact habit and abundant, long-blooming, compact flower spikes of a deep violet color. These combined traits set it apart from all other existing varieties of *Veronica* known to the inventor.